



## Ohio Administrative Code Rule 3357:15-11-05 Board attendance.

Effective: January 16, 2022

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Am. Sub. S.B. 226, enacted by the general assembly, provides that "any member of a board of trustees of an institution of higher education who fails to attend at least three-fifths of the regular and special meetings held by that board during any two-year period forfeits his position on that board."

There is no appeal mechanism.

Attending regular meetings via Electronic Communication.

(A) Definitions:

(1) Electronic Communication: live, audio-enabled communication that permits the trustees attending a meeting, the trustees present in person at the place where the meeting is conducted, and all members of the public present in person at the place where the meeting is conducted to simultaneously communicate with each other during the meeting.

(B) Pursuant to R.C. 3345.82, the Board of Trustees can conduct a meeting defined under Policy (15-11-04 Meetings) ("meeting") using electronic communication so long as the following criteria in sections (C) and (D) below are met:

(C) Trustee's responsibility:

(1) Each Trustee must be present annually for one-half of the regular meetings of the Board.

Trustees should provide at the annual organization meeting, the meetings they intend to attend in-person for the year.

(2) If a Trustee intends to attend a Board meeting through electronic communication, the Trustee must notify the Chairperson of the Board within 48 hours of intent to attend. In the event of a declared emergency, the Trustee must notify the Chairman of the Board as soon as practical. If the Chairperson intends to attend electronically, they shall notify the Vice-Chairperson.



(D) Meeting Conduct:

(1) During a meeting conducted by electronic communication, 1/3 of the Trustees must be present in-person. If the Chairperson determines within 48 hours of a scheduled meeting this criterion will not be met, they shall either:

(a) Work with Trustees previously intending to attend by electronic means to attend in-person to meet the 1/3 requirement.

(b) Reschedule the meeting.

(2) During a meeting conducted by electronic communication, votes of the Board of Trustees are conducted using a roll call.

(3) The Board of Trustees will follow all other established procedures during a meeting conducted by electronic communications.